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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

LEONARD TUCKER, LLC, a Florida
Limited Liability Company,

Plaintiff/Counterdefendant

vs.

CLEAN VISION CORPORATION, f/k/a
BYZEN Digital, Inc., a Nevada Domestic
Corporation,

Defendant/Counterclaimant

Case Number:

2:23-cv-00296-GMN-MDC

**STIPULATION AND ORDER TO
EXTEND STAY PENDING
ARBITRATION (FOURTH REQUEST)**

Plaintiff/Counterdefendant Leonard Tucker, LLC (“Tucker”), by and through their counsel of record, Brooks T. Westergard, Esq., of the law firm of Dickinson Wright PLLC, and Defendant Clean Vision Corporation f/k/a Byzen Digital, Inc. (“Clean Vision” together with Tucker the “Parties”), by and through their counsel of record, Brian R. Hardy, Esq., and Alexander K. Calaway, Esq. of the law firm of Marquis Aurbach, hereby stipulate as follows:

1. On January 30, 2023, Tucker filed a Complaint in the Second Judicial District Court of the State of Nevada, generally alleging that Clean Vision breached a certain Consulting Agreement dated December 14, 2020 (the “Agreement”). ECF No. 1, Ex. A.

2. On February 24, 2023, Clean Vision filed a Notice of Removal in this Court, (ECF No. 1), and filed an Amended Notice of Removal on February 27, 2023. ECF No. 6.

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1 Clean Vision’s removal documents allege, among other things, that “[r]emoval is proper
2 [b]ecasue this Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1332 and
3 1441(b).

4 3. On February 27, 2023, Clean Vision also filed its Answer, Jury Demand,
5 Affirmative Defenses, and Counterclaims against Leonard Tucker LLC and Leonard Tucker,
6 individually. ECF No. 7. Clean Vision’s Answer generally alleges, among other things, that
7 the Agreement is invalid and, alternatively, if the Agreement is valid, Tucker breached the
8 Agreement. *Id.*

9 4. On March 10, 2023, the Parties submitted a Stipulation and Order to Stay
10 Case Pending Arbitration, wherein the Parties requested “an Order from this Court staying
11 this action pending the outcome of the alternate dispute resolution proceedings . . . pursuant
12 to the Agreement” underlying the Parties’ dispute. (ECF No. 12 ¶ 10). The Stipulation and
13 Order was granted, and this Court ordered that this Action would be stayed for a period of
14 180 days. *See* ECF No. 14.

15 5. This Court also entered a Minute Order on March 10, 2023, ordering that the
16 parties shall submit a Joint Status Report every ninety (90) days, beginning on June 8, 2023.

17 6. The Parties submitted a Joint Status Report on June 6, 2023, wherein the
18 Parties informed the Court that arbitration proceedings were scheduled to begin on October
19 30, 2023, in Las Vegas, Nevada. ECF No. 20 at 2.

20 7. The Parties attended Arbitration on January 22-23, 2024, in Las Vegas,
21 Nevada, and received a decision from the Arbitrator on January 25, 2024, which ordered
22 post-arbitration briefing from the Parties.

23 8. On March 4, 2024, the Parties submitted a Stipulation to Extend Stay
24 Pending Arbitration (Second Request) (ECF No. 42), which was granted by this Court the
25 same day (ECF No. 43).

26 9. On March 22, 2024, the Parties completed their post-arbitration briefing, and
27 on March 15, 2024, the Parties attended a final Arbitration hearing regarding the post-
28 arbitration briefing.

1 10. On April 22, 2024, the Parties submitted a Stipulation to Extend Stay
2 Pending Arbitration (Third Request) (ECF No. 45), which was granted by this Court the
3 same day (ECF No. 46)

4 11. The Parties thus request an Order from this Court extending the stay in this
5 action for an additional thirty (30) days pending the outcome of the arbitration.

6 12. This request is made in good faith and not for purposes of delay.

7 Dated this 22nd day of May, 2024

Dated this 22nd day of May, 2024

8 **MARQUIS AURBACH**

DICKINSON WRIGHT PLLC

9 By: /s/ Alexander K. Calaway

By: /s/ Brooks T. Westergard

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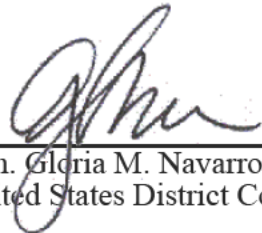
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18 **ORDER**

19 Based on the foregoing Stipulation, and good cause appearing, IT IS HEREBY
20 ORDERED that the foregoing Stipulation is GRANTED. This action will be stayed for an
21 additional thirty (30) days pending the outcome of the arbitration proceedings referred to in
22 the Parties' Stipulation.

23 IT IS SO ORDERED.

24 DATED: May 22, 2024

25 
26 Hon. Gloria M. Navarro
27 United States District Court Judge
28